# REMARKS

Applicants respectfully request reconsideration of this application in light of this submission. Claims 1-31 have been cancelled, and claims 32-55 have been added. Applicants submit that the new claims filed herein are not filed for the purpose of overcoming any prior art, and should not be construed as surrendering the subject matter in those claims, or as acquiescing in any appropriateness of the Examiner's previous rejections. Instead, they are being filed for the purpose re-articulating and/or clarifying embodiments of the Applicants' invention.

Applicants respectfully maintain that Leger in view of Garcia do not make obvious the new, nor canceled, claims of the subject application. As previously argued, Leger discloses a method/system for using a bus more efficiently. Specifically, Leger maintains a soft threshold and a hard threshold, and monitors a FIFO buffer to determine if the FIFO buffer has crossed the thresholds. The system bus can be casually acquired when the FIFO buffer reaches the soft threshold and the system is idle. The system bus can be aggressively acquired when the FIFO buffer reaches the hard threshold. (See Leger, for example, Abstract; and column 2, lines 39-67.)

Leger, however, does not teach, disclose, or otherwise make obvious, at the least, "if the amount of data associated with the first transfer operation has not reached the maximum transfer capacity, associating data located in one or

more portions of one or more other memory buffers with the first transfer operation", as required by, for example, claim 32 of the subject application. Each of the other currently new independent claims recite limitations that are similar to these limitations of new claim 32, although some differences may exist among the limitations of the other new independent claims. These similar limitations nevertheless patentably distinguish the claims over Leger in view of Garcia.

Applicants fail to find where Leger teaches or discloses the association of data in a buffer with a transfer operation (or subsequent transfer operations), where the association is dependent upon a maximum transfer capacity of the system. Instead, Leger looks at two threshold values to determine whether or not to acquire a system bus, not whether or not to associate data with a transfer operation.

This is not a trivial difference. In Leger, the system bus is acquired if one of the thresholds is reached. Leger appears only to be directed to acquisition of a bus for transferring data. On the other hand, the claims of the subject application are directed to how data is coalesced or divided in order to transfer the data.

Clearly, Leger fails to teach or disclose the claims of the subject application. Furthermore, Garcia does not teach or disclose what Leger lacks, and the combination of Leger and Garcia do not teach or make obvious the claims of the subject application. Applicants respectfully submit that Leger and

Garcia should not be used, individually or in combination, to sustain a rejection of new claims 32-55. Therefore, barring the rejection of claims 32-55 based on other references, Applicants respectfully submit that claims 32-55 be allowable.

## Conclusion

The Examiner is requested to initiate an interview with the undersigned by calling 949-498-0601 if the Examiner believes that such an interview will advance prosecution of this application.
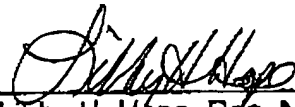
## Request for an Extension of Time

Should an extension of time be necessary to respond to the outstanding Office Action, Applicants respectfully petition for an extension of time pursuant to 37 C.F.R. § 1.136(a). Please charge our Deposit Account No. 50-0221 to cover the fee for the extension.

## Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 50-0221.

Respectfully submitted,

Date: <u>April 14, 2005</u>

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